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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/532,924

04/27/2005

Rudolf Johan Maria Vullers

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS

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BRIARCLIFF MANOR, NY 10510

EXAMINER

SHEN, KEZHEN

ART UNIT

PAPER NUMBER

2627

MAIL DATE

DELIVERY MODE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/532,924	Applicant(s) VULLERS, RUDOLF JOHAN MARIA	
	Examiner Kezhen Shen	Art Unit 2627	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 April 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claim 1 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Applicant fails to show the steps of how the measurement of the resistance is measured. The specifications must show how the steps of the resistance is measured before it can be claimed.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1 and 3 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Applicant uses the term "and/or" this is indefinite to the limitations of the claim. Examiner believes the applicant should replace "and/or" with [and] or [or].

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Burroughs US 2002/0085460 A1.

Regarding claim 1, Burroughs teaches the magneto-optical device comprising a magneto-optical read and/or write head (100 of Fig. 1, [0014]) with a coil (108 of Fig. 1, [0014]), and a means for generating a laser beam (laser diode of Fig. 2), wherein the laser beam is directed through an aperture (110 of Fig. 1, [0014]) in the coil during operation (Fig. 1, [0014]), characterized in that the optical disk recorder comprises means for measuring the resistance of the coil (Fig. 4, [0032] the resistance is already predetermined and the resistance is already measured in order for the exact resistance to be used) and means for changing the alignment of the coil and laser beam ([0030] the coil may move up and down and tilt along with the objective lens) and/or the focusing of the laser beam in dependence on the resistance of the coil ([0030]).

Regarding claim 2, Burroughs teaches the magneto-optical device as claimed in claim 1, characterized in that the optical disk recorder comprises means for changing the position of the laser and coil in two mutually transverse directions ([0030] both the lens and the coil can be moved in the up and down direction).

Regarding claim 3, Burroughs teaches the method of manufacturing a magneto-optical device comprising a magneto-optical read and/or write head (100 of Fig. 1, [0014]) with a coil (108 of Fig. 1, [0014]), and a means for generating a laser beam (laser diode of

Fig. 2), wherein the laser beam is directed through an aperture (110 of Fig. 1, [0014]) in the coil during operation (Fig. 1, [0014]), in which manufacturing step the laser beam and the coil are aligned, characterized in that the resistance of the coil is measured while the laser beam is being passed through the aperture of the coil (Fig. 4, [0032] the resistance of the coil is already predetermined and does not need to be measured again), and the alignment of the coil and laser beam and/or the focusing of the laser beam is checked or changed in dependence on the measured resistance of the coil, and/or the resistance of the coil is measured as the alignment of the coil and laser beam is being changed ([0030] the coil may move up and down and tilt along with the objective lens).

Regarding claim 4, Burroughs teaches the method of checking or tuning a magneto-optical device comprising a magneto-optical read and/or write head (100 of Fig. 1, [0014]) with a coil (108 of Fig. 1, [0014]), and a means for generating a laser beam (laser diode of Fig. 2), wherein the laser beam is directed through an aperture (110 of Fig. 1, [0014]) in the coil (5) during operation (Fig. 1, [0014]), characterized in that the resistance of the coil (Fig. 4, [0032]) is measured while the laser beam is being passed through the aperture of the coil (Fig. 1, [0014]), and the alignment of the coil and laser beam and/or the focusing of the laser beam is checked or changed in dependence on the measured resistance of the coil, and/or the resistance of the coil is measured as the alignment of the coil and laser beam is being changed (Fig. 4, [0030] the resistance of the coil is already measured and the coil and laser beams are being changed by the focus servo system).

Regarding claim 5, Burroughs teaches the method as claimed in claim 3, characterized in that the relative position of coil and laser beam is changed in two mutually

transverse directions ([0030] both the lens and the coil can be moved in the up and down direction).

Regarding claim 6, Burroughs teaches the method as claimed in claim 3, characterized in that the current intensity during alignment, checking, or tuning is equal to or preferably lower than an operating current of the device (Fig. 4, [0032] the resistance for the coil is predetermined and the current intensity to operate the coil is inherently part of the operating current of the device).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kezhen Shen whose telephone number is (571)270-1815. The examiner can normally be reached on Monday-Friday 9am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Korzuch can be reached on (571)272-7589. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Kezhen Shen/
Examiner, Art Unit 2627

/TAN Xuan DINH/
Primary Examiner, Art Unit 2627
July 18, 2008